

Abstract

In the diploma work, there are examined domain names, which have become, due to a mass development of the Internet, an economically very valuable estate. Domain names lack, although being a generally known notion, any legal anchoring in the Czech system of law. The absence of legal regulation of domain names is not an anomaly of the Czech legal environment, but it can also be seen in the states with advanced legal culture. Domain names fulfill, in addition to being a very valuable commercial article, identification and/or promotional functions. Just for those reasons, the domain names need to be provided a corresponding legal protection.

The introductory part of the diploma work, containing an introduction into the issues of domain names, addresses technical aspects of domain names and the method of their hierarchical structuring.

Further, the diploma work contains a list of institutions which play, in the area of domain names, an important role for various reasons. The historical development of the institutions, their organization, and activity contents are briefly described. Then the legal nature of domain names is examined and a question whether a domain name can be considered to be a thing/item, right and/or any other asset value is answered. Furthermore, the diploma work contains a description of registrations of domain names in individual domains of the highest order and their principles of mutual differences.

The second part of the diploma work is devoted to individual forms of registration and the use of domain names in bad faith, in particular the cybersquatting and acts similar to, or derived from it.

In addition, the diploma work addresses the relationship between domain names and selected legal institutions being, by their substance, close to a domain name or affected most often by registration of domain names. In this regard, there is devoted a considerable space in the diploma work, in particular, to trademarks, trade names, names of legal persons and/or personality rights of natural persons. Between these institutions and domain names, there are sought certain parallels, on the basis of which possibilities of legal protection of domain names are construed. In this respect, special emphasis is put in the diploma work on the relationship of domain names and the rights to marking, in particular trademarks.